

Renton Shoreline Master Program- Comments on the February 2010 Planning Commission Deliberations Draft with Responses				
Section	Commenter	Date	Comment	Response
General	80+ Lake Washington Property Owners, Sharon Smith, Laurie Baker	February 23, 2010, March 2, 2010, March 5, 2010	The SMP will decrease property values.	Property values are often thought to decrease when land use restrictions are enacted, however, when the restrictions protect a resource the opposite actually occurs. Restrictions only create increases and decreases in property values if they are applied differently to people who are similarly situated, or if some similarly situated property owners are exempted from the regulations. Waterfront property will always be valuable property, and people will always pay a premium to live there. Similar rules and restrictions will be in place on all such properties in the state.
General	80+ Lake Washington Property Owners, Jim Morgan, Gary and Helen Young, Sharon Smith, Steve Porter, Kaaren Pritchard, Anne Simpson	February 23, 2010, March 3, 2010, March 1, 2010, March 2, 2010, March 9, 2010, March 10, 2010	The SMP rules are too restrictive and minimize quality of life for Lake front property owners. Keep the rules the same.	The City is required by law to update its Shoreline Master Program to comply with new rules adopted by the state in 2004. Current policies and regulations that are in place do not comply with the state rules, and so we are required to update. Staff has endeavored to craft an SMP that both follows the state rules and preserves fairness for water front property owners.
General	Steve Porter	March 9, 2010	The proposed regulations will make the majority of homes non-conforming on Lake Washington.	Under the regulations currently in place 45% of the existing homes are already non-conforming. The types of development that have been previously allowed does not generally comply with the rules established by the state in 2004, which is why all jurisdictions are required to update their SMPs. If the City complies with state regulations, more homes will fall in the non-conforming category. However, the City has tried to manage this by establishing special rules for single-family areas, including sliding scale setbacks based on lot depth. Renton’s proposal also allows for expansion of non-conforming structures.
General	80+ Lake Washington Property Owners, Alwyn Geiser	February 23, 2010, March 3, 2010	More public participation is needed.	The City has an established public participation plan that it has been following since the outset of the project in 2008. Additional time has been provided to receive and consider the comments that have recently arisen.
General	Sharon Smith, Jerry Barber and Susan Lang	March 2, 2010, March 9, 2010	The City should get rid of milfoil in the Lake.	Addressing milfoil is not included in the SMP guidelines set by the state. Property owners may apply for permits to control milfoil mechanically or chemically by contacting the State Department of Fish and Wildlife.
General	Steve Porter	March 9, 2010	The City should apply the same rules to its own properties as it does to single-family properties.	The same rules do apply to City properties.

Renton Shoreline Master Program- Comments on the February 2010 Planning Commission Deliberations Draft with Responses				
Section	Commenter	Date	Comment	Response
General	Steve Porter	March 9, 2010	Voluntary educational programs should be established to improve Lake quality.	Comment noted.
General	Jerry Barber and Susan Lang, Anne Simpson	March 9, 2010, March 7, 2010	Lake Washington jurisdictions should coordinate their approach to regulation. Other SMPs have different requirements. It is very difficult to compare a single standard in any SMP to another. The SMP is a whole package of regulations that together meet the state guidelines.	Lake Washington jurisdictions do meet regularly to discuss policy and regulatory approaches to SMP development. Consistency between jurisdictions is in everyone's best interest. However, there are unique environmental and land use conditions around the Lake that would make a one size fits all approach burdensome.
General	Steve Porter, Donald Shane, David Halinen.	March 9, 2010, March 10, 2010	The SMP rules are a takings.	Comment noted. This comment has been addressed extensively in earlier reviews.
General	David Halinen	March 10, 2010	All shorelines are not critical areas. As a result they do not all require buffers, especially the Old Stoneway site. The GMA does not mandate universal buffers on streams or lakes designated critical areas. Science does not support universal buffers.	Comment noted. The reasoning behind the City's proposed use of buffers, and the need for buffers on the Old Stoneway Site has been addressed extensively in earlier reviews. Land within Shoreline jurisdiction is governed by the SMA, not the GMA.
General	Lowell Anderson	March 3, 2010	The SMP is not based on best available science. Very little scientific information covers urban situations, like the ones in Renton.	Comment noted. The reasoning behind the City's proposed use of buffers has been addressed extensively in earlier reviews.
General	Dean Patterson	March 3, 2010	Science on buffers indicates buffers of 50' - 150' are necessary for protection of lakes and 100'-150' for the protection of streams.	Comment noted. The proposed buffers in our SMP are consistent with this information.
General	Michael Christ	No date	Language was added over time to recognize approved master plans and vested rights, but if the development of the properties requires modifications, those changes should be allowed as long as there is no net loss of ecological function. Also, language should be included that recognizes existing uses and grandfathers them in.	Under current rules, minor modifications to an existing master plan could be accommodated, as long as the changes do not trigger the need for a new master plan under the rules of RMC 4-9-200. Existing development is recognized and protected until such time that the use changes, or a non-conforming structure expands.
General	Laurie Baker	March 5, 2010	The City should post proposed land use signs with information about the SMP update on them.	Comment noted.
General	Dean Patterson	March 3, 2010	The 3 policy statement paragraphs from the RCW should appear as policies in the SMP, not just in the introduction.	Comment noted.
General	Dean Patterson	March 3, 2010	Add information and protections on CMZs.	Staff is working with Ecology on incorporating some changes of this nature into the SMP. However, Renton's CMZs are very limited in area and already in areas that are primarily in public open space, with proposed Urban Conservancy designations.
General	David Douglas	March 2, 2010, and March 9, 2010	Provides language from WAC 173-27	The SMP guidelines are WAC 173-26. WAC 173-27 guides shoreline permitting.
Policy on Environments	David Halinen	March 3, 2010	Add provisions for industrial development to the High-Intensity Overlay District.	New industrial uses are not allowed in the underlying zoning, so it is not appropriate to authorize them in the shoreline.
4-3-090D.2.c	Dean Patterson	March 3, 2010	The adopted CAO provisions allow exemptions, activities and uses in the buffer that are not consistent with shoreline rules.	Wording has been added to this section to clarify that in the case of inconsistency or conflict, the most restrictive rules prevail.
4-3-090D.3	David Halinen	March 3, 2010	Multiple changes requested to this section to avoid vagueness.	Comments noted.
4-3-090D.4	David Halinen	March 3, 2010	The comment is made in this section and others that the City should reduce the requirements for public access to the shoreline.	Providing and preserving public access to the shoreline is a major goal of the SMA.
4-2-090D.4.d.iii	Dean Patterson	March 3, 2010	This section requires all public access areas have over water structures.	This may be a misreading. This section requires all overwater structures to have public access.
4-3-090D.4.e	David Halinen	March 3, 2010	Strike the policy in SH-27 and the rules here that may require parking for public access on private development.	Comment noted.

<b>Renton Shoreline Master Program- Comments on the February 2010 Planning Commission Deliberations Draft with Responses</b>				
<b>Section</b>	<b>Commenter</b>	<b>Date</b>	<b>Comment</b>	<b>Response</b>
4-3-090D.5.c	Dean Patterson	March 3, 2010	The High-Intensity Isolated environment inappropriately waives shoreline protection measures.	The High-Intensity Environment is limited to those parcels which, although technically in shoreline jurisdiction, contain no functional relationship to the shoreline because they are separated from the water by a right-of-way. Application of these standards is very limited.
4-3-090D.7.a.	Dean Patterson	March 3, 2010	The setbacks/buffers apply only to buildings, not to structures. This will allow the buffers to become setbacks with lawns and recreation areas.	The term building setback will be changed to structure setback to clarify. The buffer is already specified as a vegetation conservation buffer and as such is subject to all the provisions of the SMP section on vegetation conservation.
4-3-090D.7.a	Laurie Baker	No date	Existing levels of impervious surfaces are significantly higher than the proposed 25%. The current standard allows 35% or 2,500 sq.ft. whichever is greater. This seems to result in undeveloped bigger lots being forced to have smaller houses than currently exist on smaller lots. Allow 35% or 2,500 sq.ft. lot coverage as is allowed in the current regulations.	The proposed regulations limit building coverage to 25% within the first 100' of the OHWM and 35% within the rest of shoreline jurisdiction. This provides the option for additional development on lots deeper than 100'. Impervious surface coverage is allowed at 50% in the proposal.
4-3-090D.7.a	Laurie Baker	No date	If the state allows 35' height in shoreline jurisdiction, then the City should not limit height to the 30' limit imposed by the underlying zoning. A 35' height limit should be allowed.	Comment noted.
4-3-090D.7.a	Daniel Shane	March 10, 2010	Building height limitations in Cedar River reach C are unfair.	Comment noted. This comment has been addressed in earlier reviews.
4-3-090D.7.a	Daniel Shane	March 10, 2010	Standard 100' buffers go beyond goal of no net loss.	Comment noted. This comment has been addressed in earlier reviews.
4-3-090D.7.a	David Halinen	March 3, 2010	Provide special, reduced setback and buffer requirements, and special increased height requirements for High Intensity development generally, and the old Stoneway/AnMarCo site specifically.	Comment noted. This comment has been addressed in earlier reviews.
4-3-090D.7.d	Dean Patterson	March 3, 2010	The exempted activities naturally displace vegetation and habitat and establish new impacts close to the water. Uses should not be in the buffer unless water dependent or water related.	The exemptions are limited to only a few items, and may only be provided when necessary. Most exemptions are limited to water-dependent uses. The exemption in d.i. was changed to read water-dependent instead of water-oriented.
4-3-090D.7.d	David Halinen	March 3, 2010	Changes references to 4-2-060 to RMC Title IV.	This would be overbroad. The City does not intend to adopt all the provisions of Title IV within the shoreline High-Intensity overlay- only the uses in 4-2-060.
4-3-090E1	Dean Patterson	March 3, 2010	Since a use that is not prohibited can be allowed by conditional use permit, then nearly all uses are allowed by default. There are no provisions for forestry or agriculture, and only three items of commercial use. Add a commercial use and community use section to the table. Add SMP modifications to the table.	A note has been added to the category of uses not specified- to prohibit uses prohibited in the underlying zone, which should further limit the extent of commercial uses in the single-family and high-intensity environments. Uses not specified in all other environments are prohibited. Forestry and agriculture are not addressed because they are non-applicable to Renton's shorelines. SMP modifications specify in each section that conditional use permit may be required.
4-3-090E.4	David Halinen	March 3, 2010	Provisions in this section (and others in the document) that require either public access or ecological restoration for non-water-oriented uses to locate within the shoreline needlessly require more of shoreline property owners than the WAC requires.	Comment noted. This comment has been addressed in earlier reviews.
4-3-090E.6	Dean Patterson	March 3, 2010	Several points must be captured in the Marinas section: a joint use single-family dock serving more than four residences must be reviewed as a marina use, if any multi-family residential use is to have a dock it must be reviewed as a marina use because a dock is only allowed for water dependent uses and public access, and all other multi-use facilities must be reviewed as a marina use, including large boat launch facilities and mooring buoy fields.	These provisions are already covered in the SMP. The first two are in 4-3-090E7 Piers and Docks. An applicability subsection will be added to the Marinas regulations to provide for the circumstances mentioned here.
4-3-090E.7	Gary and Helen Young	March 1, 2010	Replacement of moorage roofing should be allowed without requiring reconfiguring of the entire dock.	It is allowed if translucent materials are used.
4-3-990E.7	6 Property Owners with Floating Docks	March 10, 2010	Provisions need to be added for floating docks, such as: 30% of the structure may be repaired without abiding by the standards of the code, 100% of the decking may be replaced/repared, but if the amount is over 30% light penetrating materials may be used where possible as long as the structural integrity of the dock is not compromised, and up to 50% of the supporting structures may be replaced within one year without conforming to new size requirements. The supporting structures include pilings, floats, beams, etc.	The provisions will be presented to the Planning Commission for review.

Renton Shoreline Master Program- Comments on the February 2010 Planning Commission Deliberations Draft with Responses				
Section	Commenter	Date	Comment	Response
4-3-097.E.7.b.i.2	David Douglas	March 2, 2010, March 9, 2010	Single-family residential docks are not required to demonstrate that a joint dock or a mooring buoy are impractical.	The WAC does require that the SMP limit the creation on new docks. The SMP approaches this requirement by asking property owners to consider alternatives to single family docks when feasible.
4-3-090E.7.c	Gary and Helen Young, Steve Porter, Monica Fix	March 1, 2010, March 9, 2010	The design criteria limit dock size. This prevents use by larger boats. Shorter, narrower docks are less functional and less safe.	Under the SMP guidelines in the WAC, the City is required to limit the number and size of new docks. The design criteria are based on the standards used by the US Army Corps of Engineers in their permitting operations. The City did not adopt their standards directly, but does incorporate many ideas from these standards into the proposed design criteria for docks. Provisions allow for alternatives, or other requirements, approved by other permitting agencies to be permitted in the City.
4-3-090E.7c	Anne Simpson	March 7, 2010	New docks should be 80' in length, or to achieve 10' depth, approved materials.	Regulations currently allow for these provisions, except that they specify 8' at ordinary low water, which is approximately 10' at ordinary high water.
4-3-090E.7.e	Gary and Helen Young, Steve Porter, Jerry Barber and Susan Lang, Monica Fix, Jeanne DeMund, Darius and Vicki Richards, Anne Simpson, David Douglas	March 1, 2010, March 9, 2010, March 8, 2010, March 5, 2010, March 3, 2010, March 2, 2010	Provisions for repair and maintenance of docks need to be less burdensome for single-family property owners.	Staff will bring forward some alternatives for the Planning Commission to consider.
4-3-090E.7.e	Anne Simpson	March 7, 2010	Repair and maintenance less than 75% same dimensions- no restrictions. Greater than 75% same dimensions must use approved materials (light penetrating decking, steel pilings).	Staff will bring forward some alternatives for the Planning Commission to consider.
4-3-090E.7.e	Bill Keppler	March 3, 2010	Proposes the following standards for repair of docks: when 50% off the existing piling are replaced, the piling can be replaced in their existing configuration and layout, utilizing either wood or steel piling. When more than 50% of the existing piling are replace, the piling layout must be reconfigured to conform to the new SMP requirement for piling layout and materials. When piling are replaced on an existing pier/dock will not change in the existing deck configuration there will be no requirement to bring the dock/pier deck configuration into conformance with SMP dimensional standards for new docks.	Staff will bring forward some alternatives for the Planning Commission to consider.
4-3-090E.11	Dean Patterson	March 3, 2010	Helicopter landing pads should not be allowed on waterfront property because of the impacts of such an activity. Helicopter pads are a convenience activity with other alternatives.	Comment noted.
4-3-090F.1	Jerry Brennan	March 10, 2010	USACE and National Marine Fisheries only require a mitigation buffer of 10' for major in water work, so why does the single-family sliding scale require more?	Buffers provide a number of ecological functions and act as a transition space between land and water. Renton's standard buffer is 100'- the same as the standard setback. The sliding scale for existing single-family properties provides some relief from this standard based on lot depth and the idea that each property does it's share. Some alternatives for buffer regulation for single-family homes will be proposed to the Planning Commission.
4-3-090F.1	Jerry	March	Planting of the vegetation conservation area requires a "qualified professional" to draw up plans. What is a	One of the policies of the SMP is for the City to develop a list of acceptable plantings

Renton Shoreline Master Program- Comments on the February 2010 Planning Commission Deliberations Draft with Responses				
Section	Commenter	Date	Comment	Response
	Brennan	10, 2010	qualified professional and why can't I plant from a list or do what was done next door?	for vegetation conservation areas. This has not been accomplished yet, though. If your neighbor hired a professional to design their landscaping, then that design is the intellectual property of the professional, and you are not entitled to use it without that person's permission.
4-3-090F.1	Jerry Brennan	March 10, 2010	Requiring the recording of a conservation easement is excessive.	This is a standard requirement in Renton for all types of areas, not just shorelines.
4-3-090F.1	Monica Fix	March 9, 2010	Lawns and ornamental plantings should be allowed in the buffer area.	In the Shoreline Guidelines, vegetation conservation speaks directly to controlling non-native species in the buffer areas.
4-3-090F.1.c	Laurie Baker	No date	Few properties on the Lake have setbacks of more than 50' from OHWM. No setback greater than 50' should be allowed.	Staff will bring forward some alternatives for setback regulation to the Planning Commission.
4-3-090F.1.c	Monica Fix	March 9, 2010	The sliding scale for setbacks/buffers results in a high degree of non-conformity for existing properties, the scale should be adjusted at the upper end for buffers, and the buffer should be reduced as well.	Staff will bring forward some alternatives for setback and buffer regulations to the Planning Commission
4-3-090F.1.c	Anne Simpson	March 7, 2010	Establish setbacks of 50' for new construction and any foot print increase greater than 20% (reduceable with minimum lot size). Buffers not required by encourage with new construction, lakeshore landscaping and other property improvements (possible compromise- 10' average 75% lakeshore footage).	Staff will bring forward some alternatives for setback and buffer regulations to the Planning Commission
4-3-090F.1.c.iii	Laurie Baker	March 5, 2010	Staff has said that the requirement for a bigger setback from the water is offset by an administrative variance from other setback requirements, but one still has to meet the standard variance criteria. Language should be changed to allow 0 setbacks.	For any variance, the reviewing official must show that the variance criteria is met. In this case, the reviewing official would be the administrator, not the Hearing Examiner, which simplifies the permit process tremendously and saves time processing the permit. It is not in the City or in the property owner's interest to reduce setbacks to zero. This could allow lot line to lot line development on every property, diminishing privacy between homes. By requiring an administrative variance, only properties who meet the variance criteria, typically a physical hardship created by the conditions of the land that prevent development without a variance, will receive permission to extend into the setbacks. Yet the benefits of reduced process are still available.
4-3-090F.3	Anne Simpson	March 7, 2010	Allow dredging for historical water-dependent uses.	Already allowed- subject to no net loss of ecological functions.
4-3-090F.4.c	Jerry Barber and Susan Lang, Anne Simpson, Daniel Shane, Ariane Elvebak	March 9, 2010, March 7, 2010, March 2, 2010, March 3, 2010	Owners should be able to maintain their shoreline stabilization structures.	Owners are able to maintain their structures until they change the property from one use to another (e.g. from industrial to commercial). However under the provisions of 4-10-095F.1 and F.2- if the owner expands a non-conforming structure on their property they may be required to evaluate whether the shoreline stabilization is needed or whether it can be replaced with a less impactful type of shoreline protection.
4-3-090F.4	David Halinen	March 3, 2010	In this section, and in several other places, the comment is made that provisions requiring the removal and replacement of shoreline stabilization where it is not needed is a bad policy.	Comment noted. The WAC is very clear that shoreline modifications should only be allowed for existing uses and to protect primary structures. To allow otherwise would be in violation.
4-9-197	Cara Vinintainer	March 3, 2010	Wants to be sure the district maintenance on Springbrook Creek remains exempt and unaffected. Also, that the district will continue to be notified of development permits within shoreline jurisdiction.	There are no changes to these sections, so if the permits are exempt now, they should continue to be. There is no change to notification procedures, except to increase some notifications.
4-10-095.F.2	David Douglas, David Halinene	March 2, 2010, March 3, 2010	Requiring upgrades to docks and bulkheads with improvements to the home may not be legal.	The City is not obligated to allow any expansion of non-conforming structures. The Inventory and Characterization demonstrates that existing development results in a net loss of ecological functions. As a result, the provisions of this section would require someone who wanted to expand their non-conforming structure to make

Renton Shoreline Master Program- Comments on the February 2010 Planning Commission Deliberations Draft with Responses				
Section	Commenter	Date	Comment	Response
				some improvements to reduce the impacts of the existing development on their site. If development stays the same, then there is no requirement to upgrade the site. If the development conforms with rules, there is no requirement to upgrade the site.
4-10-095.F.2	Daniel Shane	March 10, 2010	Use the Redmond system for non-conforming uses.	It is very difficult to compare a single standard in any SMP to another. The SMP is a whole package of regulations that together meet the state guidelines. The non-conforming provisions in Renton's SMP are designed to reduce the impacts of existing development over time. Existing development does not have to comply with new regulations unless it expands. At the time of expansion, some compliance with shoreline rules is required, based on the extent of the expansion. Some communities do not allow expansion of non-conforming uses at all.
4-10-095F.2	Jerry Brennan	March 3, 2010	Add a section to the table that clarifies that changes that do not increase the footprint or impervious surface of a single-family home do not require planting of the vegetation conservation buffer.	Added.
4-10-095F.2	Gary and Helen Young, Anne Simpson, Darius and Vicki Richards	March 1, 2010, March 7, 2010, March 3, 2010	Do not require dock or bulkhead replacement when the home is replaced.	This approach is provided in Renton's SMP to create a system whereby impacts from shoreline development are mitigated over time. Existing structures are allowed to be continued until such time that the property is redeveloped, or significantly remodeled. At that time new development must comply with all regulations.
4-10-095F.2	Steve Porter	March 9, 2010	If residential remodel or addition does not involve expansion or footprint or a shovel touching the dirt, regardless of cost or value increase, the home owners should not be required to install a buffer or replace their dock.	These provisions are already in place.